

REMARKS

This communication is in response to the January 11, 2008 Restriction Requirement, wherein the Examiner required restriction to one of the following:

SPECIES I: Claims 1, 3–6, 9 and 12–22, characterized as drawn to a data retrieval system comprising: a retrieval module for retrieving the requested data from the plurality of storage media, the retrieval module comprising a storage and backup map that maps the requested data to at least one of the plurality of computing devices and a data index stored on the at least one of the plurality of computing devices that indicates to the retrieval module a particular location of the requested data on the plurality of storage media, the data index comprising different information than the storage and backup map; and

SPECIES II: Claims 23–25, characterized as drawn to retrieving data in a computer network environment, comprising: a plurality of media modules in communication with the plurality of storage media, each of the plurality of media modules being configured to store and retrieve data from the plurality of storage media, a second computing device configured to support the operation of a least one software application and comprising an interface module configured to receive from at least one of the plurality of media modules the data to be retrieved; a plurality of indexes, each of the plurality of indexes being stored on one of the first plurality of computing devices and being maintained by the respective media module, and a storage map stored on the third computing device and maintained by the retrieval manager, the storage map providing, through the retrieval manager, an indication to the interface module as to which of the plurality of indexes has information regarding the most recent location of the data to be retrieved from the at least one of the plurality of storage media.

While Applicant makes no representation regarding the groupings of claims or whether such claims are properly restrictable under the rules, in an effort to progress the examination of the present application, Applicant respectfully elects without traverse

Appl. No. : 10/720,842
Filed : November 24, 2003

to prosecute Claims 23–25 (Group II). Please cancel Claims 1, 3–6, 9 and 12–22 without prejudice or disclaimer.

NO DISCLAIMERS OR DISAVOWALS

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

In view of the foregoing, the present application is believed to be in condition for allowance, and such allowance is respectfully requested. If further issues remain, the Examiner is cordially invited to contact the undersigned such that any remaining issues may be promptly resolved.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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Dated: 3/11/2008

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